

CHAPTER 6

PUBLIC SAFETY AND CONDUCT

Article 1. Vehicular Regulations

Title 1. General Provisions

Section 6-1101. Definitions

In this Article, the following words, terms, phrases, and their derivations shall have the meanings indicated.

Official Signs. Places where stopping, standing, and/or parking is prohibited by official signs shall be posted in conformity with the manual and specifications for a uniform system of traffic control devices adopted from time to time by the State Highway Administration pursuant to Section 25-104 of the Transportation Article, Annotated Code of Maryland as amended.

Operator. Every individual who shall operate a vehicle as the owner thereof, or as the agent, employee or permittee of the owner, or who is in actual physical control of a vehicle.

Park or Parking. The halting, stopping or standing of a vehicle, whether occupied or not, upon a street otherwise than temporarily, while actually engaged in receiving or discharging passengers or loading or unloading merchandise or while complying with traffic regulations, signs, signals or the directions of a police officer or while involuntarily stopping by reason of causes beyond the control of the operator of the vehicle.

Parking Meter. Any mechanical device or meter not inconsistent with this Article placed or erected for the regulation of parking by authority of this Article. Each parking meter installed shall indicate by proper legend the legal parking time established by the City and when operated shall at all times indicate the balance of legal parking time, and at the expiration of such period shall indicate illegal or overtime parking.

Parking Meter Space. Any space within a parking meter zone, adjacent to a parking meter and which is duly designated for the parking of a single vehicle by lines painted or otherwise durably marked on the curb or on the surface of the street adjacent to or adjoining the parking meters.

Parking Meter Zone. Any restricted area of a street upon which parking meters are installed and in operation.

Recreational Vehicle. Any vehicle used or intended to be used as a conveyance upon public streets or highways, including self-propelled and non-self-propelled vehicles so designed, constructed and reconstructed or added to by means of accessories, including slide-in campers, as to permit the occupancy thereof as a temporary dwelling or sleeping place for one or more persons, but not including a customized van or a pick-up truck with a cap.

Street. Any public street, avenue, road, alley, highway, lane, path, or other public place located in the City of Brunswick and established for the use of vehicles.

Taxicab. Any motor vehicle for hire, designed to carry seven persons or less, including driver, operated upon any public street or highway, and accepting or soliciting passengers indiscriminately, on

call or demand, for transportation between such points as may be directed by the passenger or passengers.

Trailer. Any type of wheeled unit built or designed to be attached to a motorized vehicle, including camping trailer, travel trailer, boat trailer, or trailer for moving materials of any kind whatsoever.

Vehicle. Any device in, upon or by which any person or property is or may be transported upon a highway, except a bicycle or any device which is operated upon rails or tracks.

Section 6-1102. Enforcement

(A) It shall be the duty of the Police Department to enforce the provisions of this Article. The provisions of Section 26-301 et seq. of the Transportation Article, Annotated Code of Maryland as amended from time to time, shall be fully applicable to the enforcement of this Article.

(B) A notice of violation shall be attached to any vehicle parked in violation of the provisions of this Article; such notice shall indicate the nature of the violation, the time of violation, the payment due date, and the amount of liability for fines and penalties as determined from time to time by the City Council.

Section 6-1103. Penalty for Violation

It is a municipal infraction to violate any of the provisions of this Article, except that parking violations shall be handled as prescribed in Section 26-303 of the Transportation Article, Annotated Code of Maryland.

Revisor's Note: Section 26-303, of the Transportation Article, Election to pay or stand trial; presence of officer at trial, provides the following:

(a) Election by person receiving citation. (1) The person receiving a citation under this subtitle shall: (i) Pay for the parking violation directly to the political subdivision or State agency serving the citation; or (ii) Elect to stand trial for the violation. (2) An election to stand trial shall be made by sending a notice of intention to stand trial to the political subdivision or State agency at least 5 days before the payment date specified in the citation.

(b) When presence of officer required. (1) If a person elects to stand trial and desires the presence at trial of the officer who issued the citation; he shall so notify the political subdivision or State agency at the time the notice of intention to stand trial is given. (2) If proper notification is not given, the officer need not appear at the trial, and the copy of the citation bearing the certification of the officer is prima facie evidence of the facts stated in it.

[Exception for parking violations inserted by because parking violations are misdemeanors under State law (See 64 Op. Att'y Gen. 307 (1979)) and, therefore, under Article 23A, Section 3(b)(1) cannot be declared municipal infractions. Rather than repeat State law within the Section, include as note.]

Title 2. Parking

Section 6-1201. Installation of Signs and Meters

(A) Whenever it is necessary for the safety or control of vehicular or pedestrian traffic or for the regulation of the use of parking areas, the Council of Brunswick is authorized to provide by resolution for the erection of "STOP", "NO PARKING", "SPEED LIMIT", "ONE WAY", and other traffic control and parking restriction signs designed to control, regulate, warn or guide traffic or limit parking on public streets, highways, parking lots, or other areas in the City of Brunswick. The City Council may also from time to time authorize, by resolution, the installation of parking meters in those places in the City as conditions may necessitate.

(B) The Superintendent of Public Works shall provide for the installation, regulation, control, operation and use of the parking meters provided for in this ordinance, and shall maintain parking meters in designated areas in a good and workable condition.

(C) Meters installed in designated parking meter zones shall be placed upon the curb immediately adjacent to the individual parking space. Meters shall be placed in such a manner as to display by signal whether the meter is, or is not, legally in use. Each parking meter so installed shall indicate by a proper legend the times for its use established by the Mayor and Council and, when operated, shall indicate on and by its dial and pointer the duration of the period of legal parking, and on the expiration of such period shall indicate illegal or over-parking.

(D) Lines or markings shall be placed upon the curb and/or upon the street, adjacent to each parking meter, so as to designate the parking space for which said meter is to be used. Vehicles parking adjacent to meters shall park within the lines or markings provided.

(E) The Mayor and Council may provide by resolution that certain parking spaces, whether adjacent to a parking meter or not, may be used for a limited duration in order to prevent "meter feeding", or the parking in a single space for an extended duration of time by an operator of a motor vehicle. In the event that the Mayor and Council so restrict the duration of parking, signs shall be posted adjacent to the areas so restricted to notify operators of motor vehicles of the restrictions.

Section 6-1202. Meter Revenues

The City Council may from time to time establish, by resolution, a schedule of parking meter rates.

The funds generated from the use of parking meters shall be used:

(A) To defray the expense of proper regulation of traffic upon the public streets of the City;

(B) To provide for the cost of supervision, regulation and control of the parking of vehicles in parking meter zones;

(C) To cover the cost of purchase, supervision, protection, inspection, installation, operation maintenance, control and use of parking meters.

Section 6-1203. Meter Hours

No charge shall be made for the use of the parking meter zones on Sundays, legal holidays, or during hours other than those specified in this section.

____Meters shall be used between the hours of 9:00 a.m. and 5:00 p.m. daily.

Section 6-1204. Meter Operation

Meters shall be maintained in a good and workable condition. Upon the deposit of a coin or combination of coins of the United States indicated upon the meter, the party wishing to park may do so for a limited time as indicated on the parking meter.

Section 6-1205. Resident Parking

The Mayor and Council may by resolution, from time to time, establish and modify a program for on-street parking by residents who meet established qualifications and who pay any designated registration fee for residential parking privileges.

Section 6-1206. Temporary Prohibition of Parking

The Mayor and Council may, from time to time, by resolution, prohibit parking on all public streets, or those streets designated by such resolution, to permit the cleaning of streets, removal of trash, removal of snow, passage of parades, or other like purposes.

Title 3. Licensing of Bicycles

Section 6-1301. Inspection of Bicycles

Every operator of a bicycle within the corporate limits of the City of Brunswick shall be required to submit his or her machine for inspection on or before the first of January in every year. Inspection will be conducted under the supervision of the Chief of Police who shall approve or disapprove of the mechanical condition of such bicycle. Inspection shall include brakes, tires, wheels, frame, handlebars and such other inspection as shall be required. Upon satisfactory inspection, the operator will be issued a license tag, bearing an identification number, certifying that the bicycle has been inspected.

Revisor's Note: See Note at Section 6-1406.

Section 6-1302. Bicycle License Tags

No person shall be permitted to operate any bicycle within the City of Brunswick without having first obtained a permit. A license tag shall be attached to each bicycle and must remain on said bicycle at all times.

____ Applications for registration are available from the Chief of Police. Licenses shall be issued upon completion of registration, inspection and payment of a fee established from time to time by resolution of the Mayor and Council.

In the event that any license tag is lost, stolen or destroyed, the persons owing or having possession of such bicycle shall report the same to the Chief of Police within 24 hours after the incident. Upon payment of a fifty cent (\$.50) fee, a new license tag will be furnished to that person.

No license tag issued under the provisions of this Title shall be transferred from one bicycle to another but shall be transferable only from one person to another person pursuant to a change in ownership of the bicycle and in accordance with a change in registration of the bicycle.

Section 6-1303. Impoundment of Bicycles

Any bicycle found abandoned in any public thoroughfare, or being operated within the corporate limits of the City without a license shall be impounded by the police. The police department shall keep such bicycle impounded until the owner shall have obtained the required license tag.

Any bicycle operated contrary to the provisions of this Ordinance shall also be impounded. The bicycle so impounded shall be held at Police Headquarters until the owner thereof, if the owner is an adult, or the parent or parents of the owner, if said owner is a juvenile, satisfies the Police Chief that he or she will obey all the provisions of this Ordinance.

No impounding fee will be charged. If a bicycle is not redeemed within thirty (30) days from the date of impoundment, such bicycle will be sold at public auction, after the sale has been duly advertised by publishing a notice of the time, place and date of such sale at least ten (10) days prior to the sale in some newspaper having a general circulation in the City.

Title 4. Prohibitions

Section 6-1401. All Vehicles-Prohibitions

(A) No person shall operate a vehicle within the corporate limits of the City of Brunswick at a speed of greater than twenty-five (25) miles per hour or as otherwise posted.

(B) No person shall operate a motor vehicle in a school zone at greater than fifteen (15) miles per hour during school hours and as otherwise posted during non-school hours.

Section 6-1402. Commercial Vehicles-Prohibitions

(A) No person shall park a vehicle designed or used for carrying freight or merchandise, on any public highway, except when actually loading or unloading merchandise, or when the operator or owner of such vehicle is actually engaged in rendering a service at or to such premises or as authorized by a permit issued under the provisions of Section 5-1401 et seq. of this Code.

(B) No person shall park any vehicle which has three or more axles within the corporate limits of the City in zoning districts other than Industrial at any time except for a maximum limit of one (1) hour only while loading or unloading such vehicle from an unmetered space and a maximum of thirty (30) minutes while loading or unloading such vehicle from a metered space.

(C) No passenger shall enter or leave any taxicab by way of the left side of such taxicab.

(D) No taxicab shall be parked in any space other than a space designated by the City of Brunswick.

(E) No railroad car or engine of any description shall occupy a street crossing so as to prevent the passage of vehicles or pedestrian for more than five (5) minutes. In the event of an emergency, notification shall be made to the Frederick County Emergency Communications Center, who will in turn notify the CSX Corporation.

Section 6-1403. Trailers and Recreational Vehicles-Prohibitions

No person shall park for any length of time whatsoever, within the limits of the City of Brunswick any trailer or recreational vehicle upon any public lands, streets or public thoroughfares, unless the parking of such vehicle is necessary for purposes of loading or unloading, in which event such loading

or unloading shall be completed within two (2) hours time, or unless authorized by a permit issued under the provisions of Section 5-1401 et seq. of this Code.

Section 6-1404. Metered Parking-Prohibitions

No person shall:

(A) Cause, allow, permit or suffer any vehicle registered in the name of, or operated by such person, to be parked overtime or beyond the period of legal parking time established for any parking meter zone as herein described.

(B) Permit any vehicle to remain or be placed in any parking space adjacent to any parking meter while said meter is displaying a signal indicating that the vehicle is parked beyond the period of time paid for by the operator.

(C) Park any vehicle across any line or marking of a parking meter space or in such a position that the vehicle shall not be entirely within the area designated by such lines or markings.

(D) Deface, injure, tamper with, open or willfully break, destroy, or impair the usefulness of any parking meter installed under the provisions of this Article.

(E) Deposit or cause to be deposited in any parking meter any slug, device, or metal substance, or other substitute for legal coins.

(F) Park delivery trucks or commercial vehicles to load or unload in parking meter zones for a period longer than thirty (30) minutes without depositing coins into the parking meter.

(G) Park on any street in violation of a temporary prohibition of parking enacted by the Mayor and Council under the authority of Section 6-1206.

(H) Park in a metered space in excess of the time established by the Mayor and Council under the authority of Section 6-1201(E), or engage in "meter feeding".

(I) No person shall stop, stand or park a vehicle in any of the following places, unless necessary to avoid conflict with other traffic or unless in compliance with the direction of a police officer or traffic control device or unless as otherwise posted:

(1) Within ten (10) feet, unless otherwise marked, of the intersection of any public or municipal street or alley, corner or crossing, in the City;

(2) Within ten (10) feet of a fire hydrant;

(3) Within twenty (20) feet of the driveway entrance to the fire station or any building used as fire halls;

(4) Lengthwise and parallel to the side of the street, with the wheels of such vehicle next to the sidewalk at a distance greater than twelve (12) inches from the curb;

(5) Across any street, lane or alley so as to obstruct the passage of vehicles or pedestrians;

(6) In any other manner other than headed with the flow of traffic; provided that any such vehicle, while loading or unloading between the hours of 7:00 a.m. and 5:00 p.m., may stand

against the flow of traffic so long as it does not interfere with the flow of traffic.

- (7) In restricted areas, properly designated by painting the curb yellow or by the appropriate signs or markers.

Revisor's Note: Section 25-101.1 of the Transportation Article, Annotated Code of Maryland expressly prohibits the making or enforcing of any local law, ordinance or regulation on any subject covered by the Maryland Vehicle Law, unless such power is otherwise provided in a public general law. Section 25-101.1 also provides that all public local laws, ordinances and regulations which are inconsistent, identical or equivalent to any provision in the Maryland Vehicle Law are repealed. Section 26-301 of the Transportation Article, Annotated Code of Maryland does otherwise empower political subdivisions of the State to adopt vehicular parking ordinances or regulations which may supplement the State's vehicular parking laws set forth at Section 21-1001 et seq. While Section 25-102 of the Transportation Article, Annotated Code of Maryland provides that local authorities are not prevented by the Maryland Vehicle Law from exercising enumerated regulatory powers within certain specified activities, it does not appear that Section 25-102 expressly empowers the adoption of ordinances as does Section 26-301. See 65 Op. Att'y. Gen. 483, 486 (1980). Also see 65 Op. Att'y. Gen. 476, Fn. 2 (1980) and Duncan and Smith v. State, 281 Md. 247, Fn. 4 (1977).

Section 6-1405. Bicycles-Prohibitions

- (A) No person other than that person properly licensed, shall operate a bicycle in the City.
- (B) No person shall fail to exercise full control over a bicycle within the corporate limits of the City, and any person operating a bicycle shall keep his or her feet on the pedals and hands on the handles of said bicycle.
- (C) No person shall ride within the corporate limits of the City any bicycle which has tires 30 inches or more in diameter.
- (D) No person licensed to ride within the corporate limits of the City of Brunswick shall ride at a speed greater than 25 miles per hour and 15 miles per hour when in the act of turning any corner or crossing any street intersection.

Revisor's Note: For State laws regarding the operation of bicycles, see Title 21, Subtitle 12 of the Transportation Article, Annotated Code of Maryland, including therein Section 21-1204 (Clinging to Vehicles) and Section 21-1207 (Lamps and other Equipment on Bicycles). Also see Revisor's Note at Section 10-1401.

Section 6-1406. Skateboards-Prohibitions

- (A) No person other than that person to whom a skateboard has been properly registered shall operate that skateboard within the corporate limits of the City of Brunswick.
- (B) No person shall fail to exercise full control over a skateboard within the corporate limits of the City of Brunswick.
- (C) No person shall operate a skateboard between dusk and dawn within the corporate limits of the City of Brunswick.
- ____(D) No person shall operate a skateboard from a sitting or prone position within the

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corporate limits of the City of Brunswick.

(E) No person registered to ride within the corporate limits of the City of Brunswick shall ride at a speed greater than twenty-five (25) miles per hour and fifteen (15) miles per hour when in the act of turning a corner or crossing any street intersection.

(F) No person shall violate any skateboard regulations adopted from time to time by the Mayor and Council.

(G) No skateboard shall be operated on Potomac Street.

Section 6-1407. Skateboards, Rollerskates, Rollerblades and In-line Skates-Prohibitions

(A) No person shall ride, propel or otherwise operate or use any skateboards, rollerskates, rollerblades, or in-line skates on the roadway or sidewalks located on East Potomac Street from Maple Avenue to Third Avenue, or on West Potomac Street from Maple Avenue to Dayton Avenue, or on South Maple Avenue from Potomac Street to the Brunswick Railroad Station, or on North Maple Avenue from Potomac Street to a street.

(B) No person shall operate a skateboard on any public sidewalk.

(C) No person shall, unless otherwise permitted and posted, ride, propel or otherwise operate any skateboard, rollerskates, rollerblades, or in-line skates on any public tennis court or multipurpose athletic courts located in the public parks.

(D) The provisions of this Section shall not apply to any facilities provided by the City for skateboarding, rollerskating, rollerblading or in-line skating and/or to any events authorized and approved by the Mayor and Council.

(E) No person shall operate a skateboard from a sitting or prone position.

(F) No person shall ride a skateboard at a speed greater than 25 miles per hour and 15 miles per hour when in the act of turning a corner or crossing any street intersection.

(G) No person shall operate a skateboard, rollerskates, rollerblades, or in-line skates between dusk and dawn.

(H) Violation of this Section shall constitute a municipal infraction Class E. In addition, the skateboard, rollerskates, rollerblades, or in-line skates involved in such municipal infraction may be impounded by a police officer. Upon payment of the fine, the skateboard, rollerskates, rollerblades, or in-line skates may be reclaimed by the parent or other legal guardian if the violator is under the age of 18.

(I) The Mayor and Council may from time to time by resolution revise the prohibitions herein set forth.

(Ord. 441, passed 8-22-2006)

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Title 5. Registration of Skateboards

Section 6-1501. Inspection of Skateboards

Every operator of a skateboard within the Corporate Limits of the City of Brunswick shall be required to submit his or her skateboard for inspection. Inspection will be conducted under the supervision of the Chief of Police who shall approve or disapprove the mechanical condition of such skateboard. Inspection shall include board, trucks, wheels, bearings and such other inspection as shall be required to insure the safe operation and use of the skateboard. Upon satisfactory inspection, the operator will be issued a registration sticker which bears an identification number, certifying that the skateboard has been inspected. Parents or guardians of minors shall be required to sign a statement acknowledging that their child has been informed and instructed in skateboard requirements.

Section 6-1502. Skateboard Registration Stickers

No person shall be permitted to operate any skateboard within the Corporate Limits of the City of Brunswick without having first obtained a registration sticker for his or her skateboard, which registration sticker shall be attached to each skateboard and must remain on said skateboard at all times.

Applications for registration are available from the Chief of Police. Registration stickers shall be issued upon completion of registration, inspection and payment of a fee established from time to time by resolution of the Mayor and Council.

In the event that any registration sticker is lost, stolen or destroyed, the person owning or having possession of such skateboard shall report the same to the Chief of Police within twenty-four (24) hours after the incident. Upon payment of a Fifty Cent (\$.50) fee, a new registration sticker will be furnished to that person.

No registration sticker issued under the provisions of this Section shall be transferred from one skateboard to another, but shall be transferable only from one person to another person pursuant to a change in ownership of the skateboard and in accordance with a change in registration of the skateboard.

Section 6-1503. Impoundment of Skateboards

Any skateboard found abandoned in any public thoroughfare or way, or being operated within the Corporate Limits of the City of Brunswick without a registration sticker shall be impounded by the police. The Police Department shall keep such skateboard impounded until the owner obtains the required registration sticker.

Any skateboard operated contrary to the provisions of this Ordinance shall also be impounded. Any skateboard so impounded shall be held at Police Headquarters until the owner thereof, if the owner is an adult, or the parent or parents or guardian of the owner, if said owner is a juvenile, satisfies the Police Chief that he or she will obey the provisions of this Ordinance.

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No impounding fee will be charged. If a skateboard is not redeemed within thirty (30) days from the date of impoundment, such skateboard will be sold at public auction, after the sale has been duly advertised by publishing a notice of the time, place and date of such sale at least ten (10) days prior to the sale in some newspaper having a general circulation in the City of Brunswick.

Section 6-1504. Skateboard Registration Fees

(A) Registration fees shall be used to defray the administrative costs incurred in implementing the provisions of this Title.

(B) Registration fees shall be used to establish a fund for the construction of a safe skateboard recreation area.

Section 6-1505. Skateboard Rules and Regulations

The Mayor and Council may, from time to time, adopt rules and regulations to control the operation and safety of skateboards and their riders. Copies of rules and regulations in effect at the time shall be issued to each owner upon registration of his or her skateboard.

Article 2. Police Regulations

Title 1. General Provisions

Section 6-2101. Purposes

The provisions of this Article are declared as necessary for the purposes of protecting and promoting the public safety, preserving peace and good order, securing persons and property from violence, danger and destruction, suppressing vagrancy and gambling, and suppressing, abating and discontinuing all nuisances.

Revisor's Note: The State of Maryland has enacted police regulations which apply within jurisdictions throughout the State. For State law as to crimes and offenses generally, see the Criminal Law Article of the Annotated Code of Maryland.

Section 6-2102. Definitions

In this Article, the following words, terms, phrases, and their derivations shall have the meanings indicated.

Civil Emergency or Disorder. Any riot and/or disorderly picketing or demonstrating or an unlawful assembly characterized by the actual use of force and violence or of any threat to use force and violence, if accompanied by the immediate ability to execute the same by two or three persons acting together, or any natural disaster or man-made calamity, including, but not limited to, flood, conflagration, cyclone, earthquake, tornado, explosion or complete electrical blackout or power failure within the corporate limits of the City of Brunswick, Maryland, resulting in the death or injury to persons or the destruction of property to such an extent that extraordinary measures must be taken to protect the public safety and welfare.

Child in Need of Supervision. A child who requires guidance, treatment, or rehabilitation and who has committed an offense applicable only to children.

Curfew Order. A prohibition against any person or persons walking, running, loitering, standing, remaining or motoring upon any of the alleys, streets, highways, public property, private or vacant property within the corporate limits of the City of Brunswick, Maryland, excepting such person who may have been officially designated to perform certain duties in connection with a civil emergency or disorder.

Dangerous Weapon. Any knife, slingshot, billy club, metal knuckles or firearm, of any kind or description, capable of being used to inflict bodily harm.

Establishment. Any privately owned place of business carried on for a profit or any place of amusement or entertainment to which the public is invited.

Firearms. Any gun, spring gun, rifle, air rifle, pistol, revolver, cannon, torpedo, or other dangerous weapon of any character, capable of propelling a projectile of any kind whatsoever.

Fireworks. Any firecracker, rocket, squib or other unauthorized explosive, but not including sparklers containing no chlorates or perchlorates.

Intoxicating Beverage. Any alcohol, brandy, whiskey, rum, gin, cordial, beer, ale, port, stout, wines, ciders, and any other spirituous, vinous, malt or fermented liquor, liquor or compound, by whatever name called, containing one-half of one per centum or more of alcohol by volume, which is fit for beverage purposes.

Loiter. To remain idle in one location; to saunter; to stand around; to linger; to "hang around".

Obstruction. Any act to, or tending to, hinder, impede or prevent the free and uninterrupted,

lawful use of property by and lawful passage of pedestrians, vehicles or traffic, including acts to prevent free and uninterrupted ingress to or egress from a public place or establishment.

Operator. Any individual, firm, association, partnership, or corporation operating, managing, or conducting any establishment; and wherever used in any clause prescribing a penalty, the “operator” as applied to associations or partnerships shall include the members or partners thereof and as applied to corporations shall include the officers thereof.

Parent. Any natural parent, adoptive parent, or person who is twenty-one (21) years of age or older and who has the permanent or temporary care or custody or responsibility for the supervision of a child.

Public Place. Any public street, highway, road, alley, park, playground, public building or vacant lot.

Remain. To idle, to saunter, to stand around, to linger, to “hang around,” to wander, to lounge, to sleep, to stroll, or to play in or upon one location.

Sound-Amplifying Equipment. The words “sound-amplifying equipment” shall mean any machine or devices for the amplification of the human voice, music or other sound. “Sound-amplifying equipment” shall not be construed as including standard automobile radios when used and heard only by occupants of the vehicle in which installed or warning devices on authorized emergency vehicles or other vehicles used only for traffic safety purposes.

Sound Truck. The words “sound truck” shall mean any motor vehicle having mounted thereon, or attached thereto, any sound-amplifying equipment.

Title 2. Public Safety Offenses

Section 6-2201. Discharge of Firearms

It shall be unlawful for any person to fire, discharge or set off any firearm within the City without a written permit from the Chief of Police; provided, however, that this Section shall not apply to the use of firearms by law enforcement officers in the lawful discharge of their duties, or by members of any military company when engaged in drilling or target practice under the command or direction of an officer thereof.

Section 6-2202. Possession of Dangerous Weapons

It shall be unlawful for any person, other than a law enforcement officer, to wear or carry concealed, without a valid license, or to carry openly in a threatening or reckless manner, any dangerous weapon within the City; provided, however, that this Section shall not act as a restriction on the wearing, carrying or transporting of handguns nor on the possession by private parties of pistols and revolvers as are exclusively regulated by the State of Maryland.

Revisor’s Note: For State laws regarding the carrying of small firearms, see Sections 4-101 and 4-201 et Seq., of the Criminal Law Article and Title 5, Subtitle 3 of the Public Safety Article, Annotated Code of Maryland.

Section 6-2203. Discharge of Fireworks

It shall be unlawful for any person to discharge fireworks within the City without a written permit from the Mayor and Council; provided, however, that this Section shall not apply to the industrial or commercial use of explosives in the normal course of business, to the use of signal devices essential to promote safety in the operation of motor vehicles, boats or railroads, or to State Fire Marshal permitted uses by farmers of firecrackers, salutes or cherry bombs, with slow-burning fuse ropes, to control destructive birds and animals; and further provided that this Section shall not be enforced in contradiction to the laws of the State of Maryland.

Revisor's Note: For State laws regarding fireworks, see Title 10 of the Public Safety Article, Annotated Code of Maryland.

Section 6-2204. Throwing of Objects

It shall be unlawful for any person to intentionally throw or propel any object, including but not limited to bricks, stones or other missiles, into the air with the result of injuring the person or property of another within the City.

Revisor's Note: For State law regarding the throwing of missiles into occupied vehicles or instrumentalities of public transportation, see Section 6-302 of the Criminal Law Article, Annotated Code of Maryland.

Section 6-2205. Resisting a Law Enforcement Officer

It shall be unlawful for any person to interrupt, resist, interfere with, strike, injure or oppose any City police officer engaged in the discharge of official duties.

Section 6-2206. Riotous and Tumultuous Acts

(A) It shall be unlawful for any person to participate in any assemblage of three or more persons engaged within the City in an affray, riotous demonstration or other violent and turbulent behavior by which property is taken away, injured or destroyed, and thereafter to fail to obey the lawful command of any law enforcement officer to disperse or peacefully disengage and leave the scene of such assembly.

(B) It shall be unlawful for any person to violate a General Curfew Order or any other order issued by written proclamation of the Mayor and Council declaring the existence of a civil emergency or disorder.

Revisor's Note: For State law regarding municipal liability to property owners for property taken away, injured or destroyed by any riotous or tumultuous assemblage of people, see Sections 14-1001 et Seq., Public Safety Article, Annotated Code of Maryland.

Section 6-2207. Assault and Battery

It shall be unlawful for any person to cause an apprehension of and unlawful application of force to the person of another.

Revisor's Note: For State laws regarding assault and abuse, see Sections 3-201 et Seq. and 3-601 et Seq., Criminal Law Article, and Section 5-901 et Seq., Family Law Article, Annotated Code of Maryland.

Title 3. Public Conduct Offenses

Section 6-2301. Destruction of Property

(A) It shall be unlawful for any person to injure, remove or destroy any property of any kind, real or personal, in any of the public parks, playgrounds or public places within the City.

(B) It shall be unlawful for any person to willfully and maliciously injure, destroy, deface or, without express authorization from the owner, tamper with or otherwise interfere with the functioning of any lawfully existing private or public structure, including any dwelling house, outbuilding, fence, gate, sign, streetlight, fire hydrant, dumpster, or temporary safety barrier, light or flare indicating a need for caution.

(C) It shall be unlawful for any person to willfully and maliciously injure, destroy, unlawfully disturb or, without express authorization from the owner, otherwise break any private or public grounds, tree or cultivated planting.

Revisor's Note: For State laws regarding destruction of the property of another, destruction of railroad property, destruction of water meters, and destruction of grocery carts, see Sections 6-301, 6-305, 6-501 et seq., and 7-201, Criminal Law Article, Annotated Code of Maryland.

Section 6-2302. Use or Possession of Intoxicating Beverages

(A) It shall be unlawful for any person to consume any intoxicating beverage in or on private property within the City without the express consent of the owners of such property.

(B) It shall be unlawful for any person, without a City permit, to give away or distribute any intoxicating beverage on any public property within the City.

(C) It shall be unlawful, from any private property within the City, for any person to give away or distribute any intoxicating beverage with the result that a public disturbance is caused on or about such private property.

(D) It shall be unlawful for any person to consume any intoxicating beverage in or on any of the public parks, any of the public ways, streets and alleys, or any other public areas within the City.

____ (E) A person may not possess in an open container any alcoholic or intoxicating beverage while in or on any of the public parks, public ways, streets and alleys, or other public areas of the City or on any private property, including parking lots or areas, that is used by the public in general unless authorized by the owner.

Revisor's Note: State law preempts municipalities from adopting ordinances identical or supplemental to prohibitions against persons: (1) being intoxicated and endangering the safety of another person or property, or (2) being intoxicated or drinking any alcoholic beverage in a public place and causing a public disturbance. See Section 207 of Article 2B, Annotated Code of Maryland.

Section 6-2303. Disorderly Conduct

It shall be unlawful for any person:

(A) To run after, hold to or hand onto any moving vehicle within the City.

(B) To hold to or hang onto any standing vehicle within the City without the express consent of the vehicle owner.

(C) To interfere with any person within the City by taking hold of him or in any way obstructing the free passage of any person upon or along the sidewalks, footways, streets, parks, picnic area, or in any public building or place for the purpose of begging or soliciting from him any monies or things.

Revisor's Note: For State law concerning disorderly conduct, see Section 10-201, Criminal Law Article, Annotated Code of Maryland.

Section 6-2304. Indecent Exposure

It shall be unlawful for any person to make an indecent and offensive exposure of his person in any public place.

Revisor's Note: For State law regarding indecent exposure, see Section 11-107, Criminal Law Article, Annotated Code of Maryland.

Section 6-2305. Curfew for Children

(A) It shall be unlawful for any child under the age of eighteen (18) years to remain in or upon any public place or any establishment during any day or days of the week between the hours of 11:00 p.m. and 6:00 a.m. the following day unless accompanied by a parent, or directed on an errand by such child's parent, or supervised by a bona fide organization and attending a cultural or scholastic or athletic or recreational activity, or engaged in gainful and lawful employment during such hours.

(B) It shall be unlawful for any parent to knowingly permit that parent's child to violate such curfew.

(C) It shall be unlawful for any operator to knowingly permit a child to remain at an establishment in violation of such curfew.

(D) Any City Police Officer who finds a child in violation of the City curfew shall take such child into custody as a child in need of supervision, shall notify immediately, or shall cause to be notified immediately, his or her parent of such custody, and shall refer the child to the local office of the State Department of Juvenile Services after being taken into custody twice over the preceding twelve (12) month period.

Section 6-2306. Loitering

(A) It shall be unlawful for any person to loiter, loaf, wander, stand or remain idle, either alone or in consort with others, in a public place, including any place to which the general public has access and right to resort for business, entertainment, or other lawful purpose, or the front or immediate area of an establishment, in such a manner so as to:

(1) Obstruct any public street or highway, public sidewalk or any other public place or building by hindering or impeding, or tending to hinder or impede, the free and uninterrupted passage of vehicles, traffic, or pedestrians.

_____(2) Commit in or upon any public street or highway, public sidewalk or any other public

place or building any act which is an obstruction or interference to the free and uninterrupted use of property or with any business lawfully conducted by anyone in or upon or facing or fronting on any such public street or highway, public sidewalk or any other public place or building, all of which prevents the free and uninterrupted ingress and egress, therein, thereon and thereto.

____(B) It shall be unlawful for any person to loiter at or in a public place or a place open to the public in such a manner as to hinder or impede the free passage of pedestrian or vehicular traffic.

(C) When any person causes any of the conditions or commits any of the acts enumerated above, a police officer or any law enforcement officer shall order that person to stop causing or committing such conditions and to move on or disburse. Any person who fails or refuses to obey such orders shall be guilty of a misdemeanor.

____(D) Any violation of the provisions of this section shall be a municipal infraction as enumerated at section 10-2202.

Revisor's Note: For State laws regarding trespassing and disorderly conduct, see Sections 6-401 et seq. and 10-201, Criminal Law Article, Annotated Code of Maryland.

Title 4. Public Nuisance Offenses

Section 6-2401. Refusal or Neglect to Abate

It shall be unlawful for any person, being responsible for creating or causing or maintaining any of the public nuisances set forth in this Code, to refuse or neglect to comply with the order of a City official or officer to remove, abate or discontinue a public nuisance within a reasonable time indicated by such official or officer.

Section 6-2402. Enumerated Public Nuisances

It shall be a public nuisance to create or to cause or to maintain within the City or within one half mile of the City limits, any of the following conditions which directly or by their consequence cause injury or annoyance to the general public:

(A) Bawdyhouses. For purposes of this Section, a bawdyhouse is defined as a blatant and/or noisome place for licentious commerce, including a house of ill fame, a disorderly house and a house of prostitution, lewdness or assignation.

(B) Unremoved Snow or Ice. For purposes of this Section, unremoved snow or ice is defined as a hazardous condition resulting from an accumulation of snow or ice upon any sidewalk within the City. The owners and occupants of properties abutting a sidewalk shall:

(1) Remove or cause the removal of snow and ice for a width of at least four feet for the entire length of any sidewalk abutting their property,

(2) Refrain from depositing or causing a deposit of removed snow or ice upon any public street, road, highway or alley.

(3) Remove or cause the removal of snow and ice within eight (8) hours after a snowfall or before 2:00 p.m. in the event of a snowfall between the hours of 5:00 p.m. and 7:00 a.m.

(4) Be charged a removal cost in the event that the City shall have caused the removal of accumulated snow and ice upon failure of the owner and occupant to comply with the City's notification and order to remove such snow and ice.

(C) Unreasonable Noise.

(1) For purposes of this Section, unreasonable noise is defined as any loud, disturbing and unnecessary noise of such character, intensity and duration as to be detrimental to the life or health of any person or to unreasonably disturb or annoy the quiet, comfort or repose of any person, including any noise which may cause:

- (a) Temporary or permanent hearing loss;
- (b) Interference with sleep, speech communication, work, or other human activities;
- (c) Adverse physiological responses;
- (d) Psychological distress;
- (e) Harm to animal life;
- (f) Devaluation of or damage to property; and
- (g) Unreasonable interference with the enjoyment of life or property.

(2) No person shall create, cause or maintain an "unreasonable noise" public nuisance, including:

- (a) The sounding of a horn or other warning device of any motor vehicle except as a danger signal or in compliance with the requirements of a motor vehicle law or regulation;
- (b) The sounding of a radio or phonograph or any musical instrument in such manner or with such violence as to annoy or disturb any person;
- (c) The operation of any sound truck for commercial sound advertising with sound amplifying equipment without the consent of the Mayor or Chief of Police.
- (d) The operation of any sound device attached to a vehicle and used for the purpose of attracting attention thereto for advertising purposes without the consent of the Mayor or Chief of Police.
- (e) The calling or crying out for advertising purposes from any vehicle without the consent of the Mayor or Chief of Police.

Revisor's Note: For State laws regarding or related to noise control, see the following sections of the Annotated Code of Maryland: Environmental Article, Sections 3-105, et seq.

Title 5. Special Enforcement Provisions

Section 6-2501. Curfew; Civil Emergencies or Disorders

Whenever the existence of a civil emergency or disorder has been declared by the Mayor or, in the Mayor's absence, by a majority of the Council, the mayor shall issue a written proclamation to the general public through the public news media and by a public posting at the City Hall. The proclamation may include a General Curfew Order to apply to the City, in whole or in part, for specified hours of the day and/or night as necessary to protect the safety and general welfare of the City. In addition to a General Curfew Order, the proclamation may:

- (A) Order the closing of all retail liquor outlets.
- (B) Order the closing of all outlets, including taverns, which sell beer or other intoxicants.
- (C) Order the closing of all private clubs wherein the consumption of intoxicants is permitted.
- (D) Ban the distribution, whether by sale, gift or otherwise, of all flammable or combustible liquid products, including, but not limited to, gasoline in any container other than directly into the gasoline tank of an automobile which gasoline tank must be affixed to and be an integral part of such motor vehicle.
- (E) Order the closing of any and all establishments whose chief activity or purpose for being open is to distribute in any fashion, whether by sale or otherwise, flammable and/or combustible liquid products, including, but not limited to, gasoline.
- (F) Order the discontinuance of the distribution in any fashion, whether by sale or otherwise, of any firearms or ammunition of any type or description whatever.
- (G) Order the closing of some, or all, establishments which distribute in any fashion, whether by sale or otherwise, firearms or ammunition of any type or description.
- (H) Order the closing of all streets, ways, alleys and other public passageways within the corporate limits of the City of Brunswick.
- (I) Issue any and all other orders deemed necessary for the protection of the citizens and property of the City of Brunswick, Maryland.

Article 3. Fire Regulations

Title 1. Offenses

Section 6-3101. Fire Lines

It shall be unlawful at the scene of a fire for any person, unless expressly authorized by firefighter or law enforcement personnel, to pass beyond lines established by such personnel to secure the fire scene and to protect persons or property from injury.

Section 6-3102. Interference with Fire Apparatus

It shall be unlawful for any person to tamper with, abuse, injure, deface, harm or destroy any fire hydrant or any fire apparatus, whether or not in use.

Revisor's Note: For State laws regarding obstruction of firefighters and false representation of a firefighter, see Sections 6-602 and 7-402, Public Safety Article, Annotated Code of Maryland. For State laws regarding driving over fire hose, see Section 21-1110 of the Transportation Article,